

REISSUE APPLICATION FOR UNITED STATES LETTERS PATENT,  
DECLARATION AND POWER OF ATTORNEY

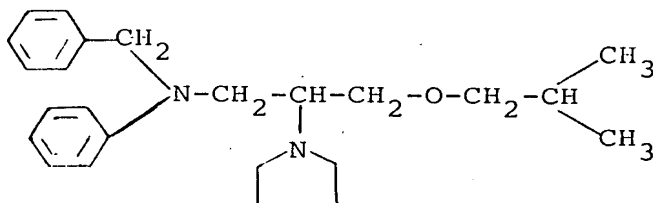
WE, <sup>201</sup>Norbert BUSCH, <sup>202</sup>Jacques SIMOND, <sup>203</sup>André MONTEIL, Jacques  
<sup>205</sup>MOLEYRE and <sup>201</sup>Roland Yves MAUVERNAY, citizens of FRANCE, residing  
respectively Le BOUQUET 63410<sup>201</sup>-LOUBEYRAT, 25 Bld Thermal 63400<sup>202</sup>-  
CHAMALIERES, HLM "Le Patural" Bat. H. Alée 167 63360<sup>203</sup>-GERZAT, 21  
rue Sarrazin 63200<sup>204</sup>-MOZAC and 13 rue E. Gilbert 63200<sup>205</sup>RIOM,

hereby declare

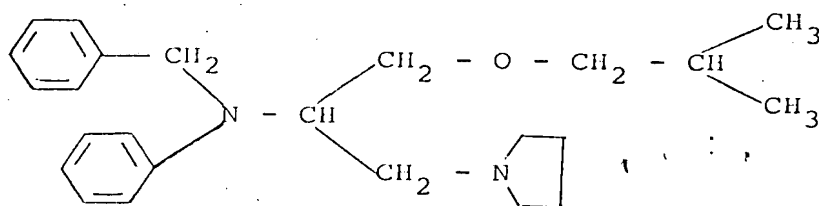
that we verily believe that we are the original, first and joint  
inventors of the invention described and claimed in Letters  
Patent No. 3,962,238, issued on June 8, 1976 and in the foregoing  
specification and for which we solicit a patent; that we do not  
know and do not believe that said invention was ever known or  
used before our invention or discovery thereof;

that, while we believe the process for preparing the compounds of  
the invention is operative, it has now been determined that there  
may be some question as to the structure of the compounds obtained  
by said process.

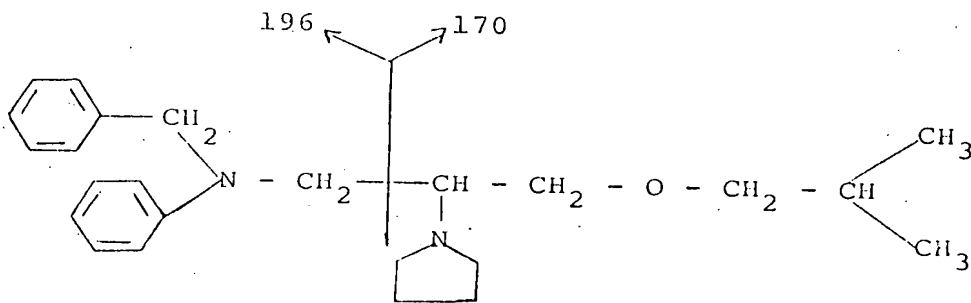
It has been determined, particularly by mass spectroscopic  
analysis, that the structure of compound 1 of the present invention,  
resulting from the reaction of 1-(3-isobutoxy-2-chloro)propyl  
pyrrolidine and N-benzylaniline results in a compound of the  
following structure



rather than the structure originally disclosed, to wit:



while the molecular weight of compounds of both structures, above, (based on the empirical formula for these compounds being  $C_{24}H_{34}N_2O$ ) is the same, the mass spectral analysis of the compound, as prepared above, shows a weak molecular ion at m/e of 366.2620 (confirming the molecular formula) but, significantly, also shows fragments at m/e 196 ( $C_{14}H_{14}N$ ) and m/e 170 ( $C_{10}H_{20}NO$ ). These fragments can only arise from the former structure, above, to wit:



The mechanism of reaction of the starting compounds most probably proceeds through an intermediate immonium ion which, theoretically could result in two products as shown below:



Consequently, new claims 7 and 8 replace all the granted claims to specifically correct this error and, while the utility and physical constants of the other compounds as originally claimed in U.S. Patent No. 3,962,238 remain the same, their structural formulae are open to question, and the claims have been restricted to one compound only, the structure of which has been confirmed by mass spectral analysis as shown above.

If the Examiner so deems it is respectfully requested that we be permitted to amend the granted patent and be granted a Reissue Patent. With this petition is an order for a title report, as required in such cases.

The above-described error in Letters Patent No. 3,962,238 arose without any fraudulent or deceptive intention on our part; and the above is a true specification of the error.

We hereby offer to surrender said Letters Patent No. 3,962,238.

We hereby appoint <sup>421 eld</sup> Eric H. Waters, Registration No. 14,739; John G. Schwartz, Registration No. 16,276; and Michael N. Meller, Registration No. 20,779; all of 122 East 42nd Street, New York, New York 10017. (Telephone No. 212-490-1310) and each of them with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office connected therewith, and we hereby direct that all correspondence be directed to <sup>501</sup> HASELTINE, LAKE & WATERS (Patents) of <sup>502</sup> 122 East 42nd Street, <sup>503</sup> New York, New York 10017.

We, the undersigned, declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

January 25, 1979

NB

Norbert Busch

January 25, 1979

JS

Jacques Suard

January 25, 1979

AM

André Montiel

February 9, 1979

JM

Jacques Holeyre

February 9, 1979

RYM

Roland-Jves Mauvernay

The assignee of Letters Patent No. 3,962,238 hereby indicates by the signature and seal below, the approval of the filing of this reissue application.

NB ->

Centre Européen de Recherches MAUVERNAY  
Rue de Marsol - 63201 RIOM  
A. G. RIOM 58 B 11

(Signature)

President

Title of Signatree